

THE GARRISON TRIAL

Begins to Drag Its Slow Length Along.

ONLY SIX PANELMEN SECURED

After Ninety Have Been Examined by the Court—Dr. Garrison Bears Up Well Under Confinement—Some of the Reasons Given by Citizens Desiring to Escape Jury Duty.

On Saturday, March 7, 1891, Dr. George I. Garrison shot and killed Dr. George Baird, on Eleventh street, at 10 o'clock in the morning. There had been bad blood between the two men for some time past, they having in the preceding year come to blows in the corridor of the public building. Dr. Garrison gave himself up and was lodged in jail. An indictment was found against him for murder in the first degree, and in the course of time the case came up for trial before Judge John A. Campbell. Much difficulty was experienced in securing a jury, which after a long trial brought in a verdict of murder in the second degree.

Application was made for a new trial, testimony was taken affecting the integrity of one of the jury, and Judge Campbell in a lengthy opinion granted the defendant a new trial. The last grand jury found an indictment of murder in the first degree, and yesterday being the day set the case came up before Judge Paul in Part II of the circuit court.

THE CASE BEGINS.

The public interest in the case has not abated in the least, to judge from the aspect of the court room yesterday morning. The time of opening was set for half past nine o'clock, but even before nine the court room was crowded as it was on Friday during the trial. Every seat was taken and all the aisles were crowded.

At twenty minutes after nine o'clock Dr. George I. Garrison was brought down from the jail by Sheriff Steenrod, and entered the court room. The long confinement in the county jail does not seem to have borne very hard on the doctor, so far at least as his physical appearance is concerned. With the exception of a slight paleness he looks very well. He still has the well kept mustache and imperial, and seems to have lost very little in weight.

Prosecuting Attorney John A. Howard and his colleague, Capt. B. B. Dwyer, for the state and Col. Arnett and Mr. Somerville for the defense were present. Court was called to order promptly at half past nine, and after Clerk Mitchell had read the record of Saturday's proceedings, the names of the witnesses for the prosecution were read as follows, all but two answering to their names: George Baird, Reed Baird, Dr. Husted, W. C. Deans, Lee and French Walton, Nell Laing, Mrs. Fanny Baker, Charles Phillips, William Klites, O. C. Genthner, William Addisburger, Jacob Sweitzer, D. Z. Phillips, Will Irwin, W. H. Fee, Frank Hoge, John Holt, J. S. Armstrong and Leonard Bergstretter.

When the defense was asked for the names of its witnesses, Col. Arnett arose and asked for an adjournment until two o'clock, saying that all his witnesses had been summoned, but all

HAD NOT ARRIVED,

owing to their being scattered over such a wide expanse of country. Judge Paul told the colonel that he and his colleague, Col. J. B. Somerville, had had ample notice of the impending trial, and that there was no excuse for the absence of the witnesses. After some talk the court told Colonel Arnett that he would adjourn court until 11 o'clock, and at that time he would expect the colonel to say whether he was ready to go ahead with the trial or not. Court took a recess and the entire audience left the court room.

By 11 o'clock the court room was again tolerably well filled. The attorneys for the prosecution were a little late, however, and did not get in until about ten minutes after eleven. The defense offered a plea that their client could not be tried a second time for murder in the first degree. The plea was allowed to be filed. The colonel said the defense was ready to proceed at any time, but wanted to be sure that witnesses whom it relied upon were not sick and unable to be present. He said this so that if during the trial any witnesses could not be present for the reasons given, the defense would not be blamed. Sheriff Steenrod called enough members of the jury panel to fill up the box, and the examination commenced.

Mr. J. M. Brown had formed and expressed an opinion, had read the evidence and was unable to render a verdict in accordance with any evidence that might be presented. Mr. M. J. O'Neill said he could render only one verdict, no matter what the evidence; he could not go into the jury-box with his mind a blank. Mr. D. C. Kurner had formed and expressed an opinion, which could not be changed. Mr. William Brooks was in the same condition of mind, and he was not sure but that even additional evidence might be unable to alter his opinion. Mr. S. B. Jefferson had read the evidence and could not render a fair and impartial verdict according to the evidence. Mr. Joseph S. Gibbs could not discard the opinion he had formed, under any circumstances.

Louis Newman said the evidence that would change his opinion would have to be mighty strong. Captain Dwyer took the juror in hand and asked him if he would not make up his opinion from the evidence presented upon the witness stand. Mr. Newman said he would try. Mr. Somerville objected to Captain Dwyer leading the juror, but the court sustained the captain and the defense excepted to the ruling. Mr. Newman, however, was not quite sure he could find a verdict according to the evidence and he also was excused. Mr. William Long was also excused.

Mr. Henry Kalbitzer and Thomas Smith were excused. George Zoeckler said he had been summoned as a witness on the last trial, and he was excused, the defense saying it might want to use him as a witness on the present trial. Mr. C. A. Schaefer was asked what he would make up a verdict from, if he were sworn as a juror and heard the evidence. "From the evidence, of course," said Mr. Schaefer, but still he had a strong opinion. When asked if he had formed the opinion with a view to disqualifying himself from the jury, Mr. Schaefer replied that he had not. William Taggart, Elmer Nichols and M. L. McPhail were excused, their opinions being unchangeable. Jacob Keller had no bias or prejudice and was accepted temporarily, until the counsel for defense had a chance at him. Keller was a member of the jury that found William Mailey guilty of murder in the first degree.

P. A. McGuire was excused. Mr. J. M. Dwyer answered all the questions

satisfactorily. He had formed and expressed an opinion, but said that if he were sworn as a juror he would have to abide by his oath; he couldn't do otherwise. H. D. Rumble and James Mansberger were also excused. Joseph Lawson had either bias or prejudice for or against the prisoner and was excused. J. P. Heinlein, John E. Smith, Charles Killmyer and John Walford were excused, having unalterable opinions. F. J. Park had either bias or prejudice for or against the prisoner and was excused. G. G. Busbey, L. H. Morris, Louis Helmbricht, Daniel Bodley, D. E. Stalaker, W. J. Lukens and S. M. Rice were excused; their opinions could not be changed by any evidence that could be presented. So far forty-seven men had been examined and only two accepted, and court adjourned until 2 o'clock.

Court was called to order again at 2 o'clock and the examination of jurors continued. A. D. Seamon, M. A. Lashley and Alonzo Stenger were excused. August Whitthulm said his opinions never changed; in fact, the way August spoke, his opinions were like the laws of the Medes and Persians—unalterable. R. C. Darrah was a particular friend of the defendant, and thought his feeling of friendship would render him incapable of giving a just verdict. He and Godfrey Schul were excused. Robert Aftaler swore he was biased and prejudiced, but he couldn't give a definition of the word "bias."

He was excused. John A. Weisgerber had strong opinions and was excused. George Heller was excused. J. B. Thomas said he could not change his opinions, no matter what the evidence. Notwithstanding this answer Mr. Thomas assured the court that he had a great regard for his oath. Chris. Heil and G. J. Graham were excused, Heil having fixed opinions and Graham having strong prejudice.

George J. Crumbacker was excused. He said that Dr. Baird had been his physician for thirty-five years. H. H. Hibberd could not conscientiously alter his opinion, as he was strongly prejudiced. "At the time of the crime," he said, "I was strongly prejudiced against one of the principals." William Meyn said he was "down on" the principal in the trial to be held. He was excused instantly.

W. H. Mahone thought he could give a fair verdict and was seated alongside Messrs. Dwyer and Keller. A. T. Ray had fixed opinions, and John Habersick's were like rock-ribbed Gibraltar. John Rogers said he was related to Dr. Garrison, the doctor's sister having married a brother-in-law of his. Mr. Rogers also had fixed opinions and was excused, as was David Gundling, for the same reason. John Newhouse had fixed opinions and William F. Weir was biased; they were excused. Charles E. Gee had strong opinions, and though he would try to give a fair verdict, he was afraid he could not succeed.

Alex. Durst was excused. Charles Hathaway said he couldn't hear well; he was assured he would be given a seat near the witness stand and was accepted by the court. D. S. Frazier was excused, as an oath

TAKEN AS A JURORMAN

would have no effect upon his action in a trial; at least he said so. P. C. Morris said he couldn't consider it his duty, if sworn, to regard his oath. H. L. Robertson, Louis Schwalb and John Stenger, Jr., were excused, the first two having fixed opinions and the last being biased. W. F. Stifel and O. H. Auher were excused. Edward Dusch and Thomas Davidson were excused for reasons given by some one or the other of the many examined before them.

James A. Burkett said that at one time he had had an opinion, but that it had become somewhat mixed since then. He thought he could give a fair, unbiased verdict and took a seat in the jury box. Charles Klein, J. W. Ellenberger and D. G. Frazier had fixed opinions. Charles Hoffmann, Joseph Speidel, Peter Auth, J. J. Murdoch, Jacob Otto, R. B. McCollough, Daniel Arnett and William Crosby were excused for opinions already formed or prejudice or bias felt. Joseph Emshewer was also excused. Charles Prager had been examined as a juror in the former trial, but had been rejected. He was excused, and so were J. H. Eger and T. W. Weitzel on account of having opinions. Anthony Fisher had formed and expressed an opinion, but thought he could discard it and render a verdict in accordance with the law and evidence. He was accepted.

C. B. Carr and Adam Blum were excused. Adam Schwertfeger said he never changed his opinion, and of course he was excused. R. S. Kincheloe was also excused, as were Charles Heimer, E. L. Nicoll and Fred M. Strong. Christian Zorg claimed his exemption from jury duty, as he was over sixty years of age. Charles M. Sample and William Rustmeyer were also excused on account of fixed opinions, already formed and hard to be changed. The regular jury panel was now exhausted, and it being decided to draw a new panel immediately, court adjourned until 9 o'clock this morning.

The six selected jurymen, Messrs. Jacob Keller, J. M. Dwyer, William H. Malone, James A. Burkett and Anthony Fisher were taken in charge by Deputy Sheriff Zane.

Up to the adjournment of court ninety jurors had been examined and six secured toward making up the requisite panel of twenty. Six out of ninety seems a small proportion, but is even better work than was done at the first trial. The court officers were congratulating themselves yesterday on the success so far. When the first two panelmen were obtained, forty-five had already been rejected, and if this ratio had continued it would have been necessary to examine 131 before securing the six; as it was only ninety were examined. Getting a jury of twelve men does not now seem so far off as it appeared yesterday morning.

Mrs. Leslie Must Wait.

The case of Mrs. Frank Leslie, indicted for the murder of her husband in Anne Keim's house of ill fame on April 7, was re-set for hearing in the circuit court to-day after it was crowded over from Friday by the continuance of the Maier case, but now that the Garrison case is on her case will of course have to wait till this one is done, at least, if it does not go over to another term.

The Concert this Evening.

The old adage about a prophet in his own country does not apply to a prima donna in her own city—not, at least, to Madame Rolia in her own city. When the sale of seats opened at House of the Opera House this evening there was a great rush for them, and last evening almost every desirable seat was marked off. There will be one of the largest and probably the most fashionable audience of the season in the Opera House this evening, which is as it should be. Wheeling is justly proud of her famous singer, and has rare opportunities to enjoy her singing, and she will have on this occasion the assistance of popular local talent.

A FULL line of E. C. Burt's celebrated fine shoes just received.
L. V. BLOND, Sole Agent.

LOCAL BREVITIES.

Matters of Minor Moment in and about the City.

THE GRAND this evening—"Below Zero."

OPERA HOUSE this evening—Madame Rolia's concert.

HOUSE painters are enjoying a boom in their business.

The open summer electric cars are in service again part of the time.

RAPID progress is being made on the tearing down of the old street car barn.

The open cars on the Elm Grove road are very comfortable this sort of weather.

A DOZEN very ordinary cases made up the docket of the police court yesterday morning.

A WAGON belonging to Burns & Church was demolished on the wharf yesterday by a runaway.

A NUMBER of Knights Templar from over the river attended a meeting of Cyrene Commandery last night.

CONSIDERABLE business is piled up for this evening's Council meeting; the annual liquor licenses being among them.

THREE saloon keepers were fined yesterday for selling on Sunday, and two others will be arraigned this morning.

WILLIAM WILLIAMS, the mail box robber, was taken to the Moundsville penitentiary yesterday by Deputy Marshal Robinson.

WORK on the retaining wall on the north bank of the creek east of Main street was stopped yesterday by the high water.

THE case of William Wiedebusch, accused of abusing his wife, was continued yesterday by Squire Arkle to Monday evening.

A FORCE of men is at work repairing the B. & O. track on Sixteenth street, west of Chapline. New ties are being put in and the rails raised.

A MARRIAGE license was yesterday issued to Reed Johnson, aged twenty-four, and Lulu Aukwood, aged twenty-five, both colored residents of Elm Grove.

AMELIA ZANKANN yesterday qualified as executrix of the will of Henry Zinkann, deceased, and gave bond in \$7,000, without surety, none being required by the terms of the will.

THE hall for the benefit of John Christy, the crippled cigarmaker, will take place Friday evening, April 29, at Turner hall. Lots of tickets have been sold and a good time is assured all who attend.

BOB FITZSIMMONS, who became famous as a prize fighter by whipping Dempsey, passed through this city eastward Sunday night, and quite a crowd gathered at the Baltimore & Ohio depot to see him.

WALTER WEIMAN, a lad of the east end, was hit by a stone yesterday and badly cut on the cheek. There is scarcely a day that some report is not heard of an accident from stone throwing. This is a good habit to discourage.

MEMBERS of the G. A. R. or others desiring to go to New Martinsville to the state encampment which will be in session Wednesday and Thursday should go on the early morning train so as to get the benefit of the reduced rates.

THE Cleveland, Lorain & Wheeling railroad will soon let contracts for a 15-span plate girder viaduct, to replace a long trestle near Flushing. The new bridge will have thirteen spans thirty-two feet long and two spans sixty-two feet long.

ON Saturday evening next Madame Modjeska will appear at the Opera House in Shakespeare's comedy, "As You Like It." This will of course be one of the memorable events of the dramatic season in Wheeling, and the audience will be limited only by the size of the house.

ALREADY complaint is heard that the electric lights are not properly located. Coal street, in the first ward, High and Charles streets, in the Second, and South Huron, in the Seventh, are the kickers. People ought not to expect too much on the first trial.

THE Council committee on petitions and remonstrances was called to meet yesterday afternoon to pass on applications for saloon licenses. It was some time in getting a quorum, and then several members were called out to be examined as jurors in the Garrison case, and the committee adjourned till ten a. m. to-day.

ABOUT PEOPLE.

Strangers in the City and Wheeling Folks Abroad.

Fred C. Williams, of the South Side, is visiting his parents in Chicago.

O. W. O. Hardman, of Middlebourne, Tyler county, is in the city on law business.

Rev. William Ulbert was the guest of the editor of the Steubenville Germania yesterday.

Ex-Senator Camdon was in the city for a while yesterday, and dined at the McClure House.

Ex-Gov. F. H. Pierpoint, of Fairmont, is among the distinguished West Virginians in the city.

Dr. H. A. Rowler, of Main street, is gradually recovering from a three weeks' spell of sickness.

J. E. Watson, of Fairmont, R. M. Sheats, of Grafton, and B. D. Spillman, of Parkersburg, stopped at the McClure last night.

Among those who stopped at the Windsor yesterday were: Mrs. B. B. Smith, of Mannington, and Charles Sweet and wife, of Clarksburg.

Mr. Charles Kreiger, the chef at the Hotel Windsor, and his wife, nee Miss Bert Grant, of Zanesville, returned from their bridal tour last night.

B. Engle, of Middlebourne, D. J. Henderson, of Sistersville, S. K. Jacobs, of Worthington, L. V. Keck, of Morgantown, and S. P. McGough, of Grafton, stopped at the Stamm yesterday.

Mrs. W. H. Sheib, formerly of this city, has returned from Europe, where she took a three years' course in music under the leading masters. She is making her home with her brother, Mr. Mellor, the Pittsburgh music dealer.

Mr. John Bukey, son of General Van Bukey, of Parkersburg, who for some time has been a salesman for the Drummond Tobacco Company, of St. Louis, and is well known throughout this section of the country, has resigned his position to travel for Simon Baer's Sons, of this city.

The following West Virginians stopped at the Behler yesterday: L. E. Smith, H. J. Evans and C. S. Evans, of New Martinsville; Chas. J. Buckham, of Huntington; D. J. Henderson, of Sistersville; C. R. Snodgrass and John O. Hannon, of Mannington; S. B. Phillips, of Buckhannon; A. Beatty, N. L. Shriver and H. H. Mercer, of Metz; G. A. Smith, of Grafton; E. Brost, of New Martinsville; J. F. Tobin, of Moundsville, and C. A. Glendinning and wife, of Ceredo.

An Interesting Suit.

In Judge Campbell's court yesterday the case of the Long Reach Stave and Barrel Company and Okey Johnson vs. Wilson & Dunlevy, of this city, a suit for damages, was put on trial to a jury, and is still in progress. It presents some interesting questions, and will probably consume the time of the court for several days.

FUNERAL OF W. R. DINSMORE.

Largely Attended Yesterday Afternoon. The Floral Offerings.

At four o'clock yesterday afternoon the funeral of W. R. Dinsmore, the well known commercial traveler, took place from his home in North Wheeling. The obsequies were solemnized by Rev. Dr. J. T. McLure, of the United Presbyterian church. Several selections were sung by a choir composed of Mrs. Flora Williams and Miss Phillips and Mr. Bullard and Mr. Will McCoy.

The pall bearers were Messrs. John Richardson, Alex. Gill, James Reed, Alfred Brown, B. L. Beare and F. W. Hudson. The burial was at Greenwood cemetery. The ceremonies at the grave were conducted by Chaplain Clark, of Lodge 109, K. of L., of Bridgeport.

Among the many handsome floral ornaments were a broken column, two pillars, several anchors and a great many other pieces. The funeral was attended by the deceased's brother, from Mingo, and his sister, Mrs. Davis, of Cleveland.

Children Leave Home.

The eleven-year-old daughter of James St. Myers left her home last Friday and has not returned. Her parents searched in vain for her, and notified the police. The case was wrapped in mystery until the girl appeared on Sunday at her sister's home in Bridgeport. She left there again the same day and has not since been heard from.

A telegram was received by the police yesterday from Monongahela City, Pa., asking them to look out for Ed and Sam Yohe, two boys who had run away from home there.

Testimonial to Dr. Clark.

Pursuant to a call members of the alumni of the Linsly institute met at the office of Dr. Frank Hupp, on Chapline street, last evening, and adopted appropriate resolutions on the death of Dr. Charles F. Clark, a former instructor at that school, and ordered that a handsomely engrossed copy of their resolutions be sent to the family of the deceased.

NOTES ON NAVIGATION.

Stage of Water and Movements of Boats. The River Interests.

The river was falling yesterday with 14 feet 6 inches in the channel.

The reports from above were: Warren, Pa.—1 foot 3 1/2 inches, clear and cool.

Morgantown—7 feet 10 inches and falling; clear and cold.

Brownsville—11 feet 3 inches and falling; cloudy.

The steamer Keystone State will pass down for Cincinnati at 8 a. m. to-day.—The Hudson will leave for Pittsburgh at the usual hour.

Financially Embarrassed.

A large manufacturer, whose affairs were very much embarrassed, and who was overworked and broken down with nervous exhaustion, went to a celebrated specialist. He was told that the only thing needed was to be relieved of care and worry, and have a change of thought. This doctor was more considerate of his patient's health than of his financial circumstances. He ought to have advised him to use Dr. Miles' Restorative Nervine, the best remedy for nervous prostration, sleeplessness, dizziness, headache, ill effects of spirits, tobacco, coffee, opium, etc. Thousands testify to cures. Book and trial bottle free at Logan Drug Co.'s 5

Half Fare to Omaha via the Pennsylvania Lines.

For the Quadrennial Conference of the M. E. Church at Omaha, Neb., excursion tickets at half fare for the round trip will be sold via Pennsylvania Lines April 27, 28 and 29, and will be good returning until June 1. Any ticket agent of the Pennsylvania Lines will furnish particulars upon application. TUSA

ATTEND the race between two well known flyers to-day, at Fair Grounds. Direct route via Naphth's Yacht Ferry, foot of Twelfth street.

Excursion to Cleveland.

On account of the Republican convention at Cleveland, Ohio, the Wheeling & Lake Erie railroad will sell on April 26 and 27 round trip tickets at one fare for the round trip. Tickets good returning April 29th.

STRAWAY Upright Piano for Two Hundred dollars.

This piano is second hand, but in perfect condition. For Sale by F. W. BAUMER & Co., 1310 Market Street.

The remarkable growth, which, till within two years, was brought about principally by one person telling another, is a monument to Garfield Tea's merits.

DIED.

WOODS—At the family residence, at Woodsdale, on Saturday, April 25, 1892, at 10 o'clock p. m., HAMILTON WOODS, aged 35 years.

Funeral Tuesday morning at 10:30 o'clock. Friends of the family are respectfully invited to attend.

"WORTH A GUINEA A BOX."

BEECHAM'S PILLS

CURE SICK HEADACHE, Disordered Liver, etc.

They Act Like Magic on the Vital Organs, Regulating the Secretions, restoring long lost Complexion, bringing back the Keen Edge of Appetite, and arousing with the ROSEBUD OF HEALTH the whole physical energy of the human frame. These Facts are admitted by thousands, in all classes of Society. Largest Sale in the World.

Covered with a Tasteless & Soluble Coating. Of all druggists. Price 25 cents a Box. New York Depot, 36 Canal St.

A Wise Merchant

Is never content to stand still. Stagnation is death—in TRADE as in other things. Now Customers should be sought after all the time. There is only one way to get them—use the Advertising columns of Good Newspapers.

FURNITURE POLISH—G. MENDEL & CO.

Furniture Polish!

50C. PER BOTTLE.

Manufactured and Sold Exclusively by

G. MENDEL & CO.,

Furniture and Carpets, 1124 Main St.

Restores to their original brilliancy Pianos, Organs, Slate and Marble Mantles, Iron Fire Fronts, and puts a fine polish on old furniture.

DIRECTIONS—Apply with cloth or brush, and rub immediately with dry cloth.

SPECIALS—GEO. E. STIFEL & CO.

This Week Specials

GEO. E. STIFEL & CO.'S.

LADIES' RIBBED VESTS.	One lot Ladies' Ribbed Vests in Eern, Cream and White, at 15c, are cheap at 30c.
MOTHER'S FRIEND WAISTS.	Mother's Friend Waists for boys. A full line at all prices, but a regular 60c Waist this week at 35c. Don't miss this.
LACE CURTAINS.	Our line of Curtains is the largest in the State, but this week we offer 200 pairs of Nottingham Lace Curtains at 85c per pair that always sold for \$1.50.
PORTIERE CURTAINS.	At \$5.00 per pair, elegant Chenille Portiere Curtains, fringe on both ends. Great variety of Styles and colors. Also all others at great bargains.

Geo. E. Stifel & Co

1156 Main street.

MEN'S FINE CLOTHING—D. GUNDLING & CO.

MEN'S FINE CLOTHING!

SUITS.

In this line we have many surprises for you. Goods and styles you have heretofore looked to merchant tailors for can be found in our stock, many of them made to our ideas, and in every respect equal to Suits made to your measure, but at prices saving you \$10 to \$15 on a Suit. Imported Clay Worsted in Cutaways, Frocks and Prince Alberts and Scotch Cheviots, etc., in Single and Double Breasted Sacks,

\$12, \$15, \$18 and \$20.

SPRING OVERCOATS!

In every desirable style and make known this season. The Box Coat, Form Fitting Coats. We can fit all. Excellent values at

\$10, \$12 AND \$15.

We have the Newest and Most Stylish line of CHILDREN'S and BOYS' CLOTHING.

Always in the Lead. The Acknowledged Headquarters.

D. Gundling & Co.

34 AND 36 TWELFTH STREET.

PARQUET FLOORS—JOHN FRIEDEL.

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FRESCO EFFECTS ON WALL PAPER!

Artistic Interior Decoration. Beautiful designs and colors for Parlors, Halls, Dining-rooms and Libraries, in Fifteenth Century and Rococo styles. Headquarters for Decorative Wall Paper. A full line of cheap papers.

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THOSE WHO ARE INTERESTED IN

BICYCLES

Should not lose sight of the fact that there are more

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Used in this country than all others combined.

Refer to riders and records as to their merits. EDW. L. ROSE & CO. always on hand.

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